

REMARKS

Applicant has carefully reviewed the office communication mailed February 21, 2006. In that office communication, the Examiner indicated that the application contained claims directed to three invention groups. The Examiner required the election of one invention group. The three invention groups identified by the Examiner are as follows:

I. Claims 1-24, drawn to a device for applying a pulsating pressure, classified in class 601, subclass 152.

II. Claims 25-43, 47-58, 60-67, drawn to a a method for using a device for applying a pulsating pressure, classified in class 601, subclass 1.

III. Claims 44-46 and 59, drawn to a method for effecting a change in the core body temperature of a patient, classified in class 604, subclass 289.

In response to this election requirement, Applicants provisionally elect claims 1-24 (Group I as identified by the Examiner) and traverse the restriction requirement on the grounds that no serious burden on the Examiner exists.


If the search and examination of an entire application can be made without serious burden, it must be examined on the merits even though it includes claims directed to distinct or independent inventions. M.P.E.P § 803. Applicants submit substantially similar or convergent searches would be required for the claims of Group I, Group II and Group III. Therefore, the subject matter of Groups I, II, and III are believed sufficiently related that a thorough search for the subject matter of any one group would encompass a search for the subject matter of all groups. Further, Group I, Group II, and Group III are sufficiently related as being respectively

drawn to pulsating pressure to a local region of the body. To avoid duplicative examination by the Patent Office and unnecessary delay and expense to Applicants, Applicants respectfully request examination on the merits of all the claims, not just those of Group I. Alternatively, Applicants request the examination on the merits of the claims of Group I.

Enclosed herewith is a Petition for a One-Month Extension of Time under 37 C.F.R. §1.136(a)(1) and a check for \$60 to cover the fee under 37 C.F.R. §1.17(a)1). Please treat any communication filed at any time in this application, requiring a petition for an extension of time under 37 CFR 1.136(a) towards timely submission as incorporating a proper petition for an extension of the appropriate length of time. If any additional fees are required to enter the present amendment, applicant hereby authorizes the office to charge our Deposit Account No. 061910. It is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. The Examiner is invited to telephone the undersigned in the event there are any questions concerning the election or if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

Dated: 3/25/06

  
James L. Paige  
Reg. No. 50,886  
(612) 492-7222

Fredrikson & Byron, P.A.  
200 South Sixth Street, Suite 4000  
Minneapolis, MN 55402-1425 USA  
Facsimile: (612) 492-7077

4007815\_1.DOC